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Hon. Lauren King

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. CR 22-180 LK
)	
v.)	SENTENCING MEMORANDUM
)	OF DEFENDANT
RYAN HOLMQUIST,)	
)	
Defendant.)	
)	

I. INTRODUCTION

Ryan Holmquist is before the court for sentencing following his plea of guilty to one count of conspiracy to distribute controlled substances, 21 U.S.C. §§841(a)(1), 841(b)(1)(C), and 846.

In United States v. Booker, 543 U.S. 220, 125 S.Ct. 738, 160 L.Ed.2d 621 (2005), the court held that the United States Sentencing Guideline ranges were advisory rather than mandatory, and that a sentencing court was to consider statutory factors, such as those set forth in 18 U.S.C. § 3553(a), in tailoring a sentence in a particular case.

II. ADVISORY UNITED STATES SENTENCING GUIDELINE CALCULATIONS

Even though it will not impact criminal history category in this case, counsel believes that the conviction involving drug paraphernalia would be subject to dismissal pursuant to State of

1 Washington v. Blake, 197 Wn.2d 170, 481 P.3d 581 (2021). The
2 facts as set forth in this paragraph of the presentence report
3 describe possession rather than use of drug paraphernalia. The
4 confusion in denoting the conviction as use of the paraphernalia
5 might well stem from the inclusion of both use and possession in
6 the same statutory section. R.C.W. 69.50.412. However,
7 subtraction of one criminal history point would leave Mr.
8 Holmquist in criminal history category III.

9 Counsel would also note that the commission of the present
10 offense occurred before, rather than after the imposition of
11 sentence in Issaquah Municipal Court case number 3A0140933. No
12 criminal history points were added for this conviction.

13 In sum, there is no dispute as to the advisory sentencing
14 range per the United States Sentencing Guidelines.

15 III. SENTENCING RECOMMENDATION

16 Counsel recommends that Mr. Holmquist be sentenced to a term
17 of imprisonment of twelve months, with the balance remaining on
18 this sentence converted to home confinement. This sentence is
19 sufficient, but not more than necessary, to achieve the goals of
20 sentencing in this case.

21 IV. BASIS FOR RECOMMENDATION

22 A. THE HISTORY AND CHARACTERISTICS OF MR. HOLMQUIST

23 Despite his strict and religiously grounded upbringing, Mr.
24 Holmquist was vulnerable to peer influences, particularly after
25 his parents divorced when he was fifteen years old. He was

26 SENTENCING MEMORANDUM OF DEFENDANT-2

1 introduced to oxycontin and methamphetamine at the age of
2 seventeen by high school classmates. His drug use expanded when
3 he attended Lake Washington Technical College.

4 Mr. Holmquist worked at Discount Tire after graduation.
5 Most of his income went to support his drug habit. Unable to
6 afford rent, he moved in with his mother. At that time, he was
7 using heroin and marijuana. He kept his mother from learning of
8 his heroin use.

9 Several years later, he became romantically involved with
10 Missica Tax, who had been his drug supplier. Ms. Tax was herself
11 a drug user. They had a child together, a daughter named
12 Brooklyn. When Child Protective Services became involved, Ms.
13 Tax moved in with her mother. When Brooklyn was two years old,
14 Mr. Holmquist lost his job at Superior Marine. Once again unable
15 to afford rent, he stayed with Ms. Tax part of the time, and
16 couch surfed with friends otherwise.

17 Mr. Holmquist met Amanda, his current wife, in 2021. She
18 did not have, nor does she have now, any drug dependency. She
19 urged him to get treatment. Her entreaties were unsuccessful.
20 Mr. Holmquist used drugs daily until his arrest in the present
21 case. His involvement in trafficking was as a procurer for other
22 redistributors. The redistributors gave him controlled
23 substances for his own use in lieu of cash.

24 Mr. Holmquist credits his arrest in this case for moving him
25 to turn his life around. Attached to this memorandum, and
26 SENTENCING MEMORANDUM OF DEFENDANT-3

1 incorporated by reference, is a heartfelt and eloquent essay
2 written by Mr. Holmquist himself in support of his application to
3 participate in the DREAM program. This, better than anything
4 counsel can express, shows the insight that Mr. Holmquist has in
5 his previous behavior and confidence in his ability to avoid
6 engagement with controlled substances in the future.

7 B. THE SENTENCE RECOMMENDED HEREIN WILL BE ADEQUATE TO
8 PROTECT THE PUBLIC AND TO AFFORD ADEQUATE DETERRENCE TO
CRIMINAL CONDUCT

9 Mr. Holmquist has been out of custody on the terms of an
10 appearance bond since October 28, 2022. What he did following
11 his release is instructive.

12 Realizing that he would best move forward by temporarily
13 removing himself from the community where he connected with drug
14 traffickers, Mr. Holmquist relocated from the home of his wife
15 and her children to that of his mother and her husband in
16 Pinehurst, Idaho. When he arrived there, he worked as a framer,
17 and enrolled in a drug addiction treatment program at Good
18 Samaritan Rehabilitation in Coeur d'Alene. The effectiveness of
19 this program for Mr. Holmquist speaks for itself.

20 Following the completion of the treatment program at Good
21 Samaritan, Mr. Holmquist returned to Issaquah to be with his wife
22 and stepsons. He completed intensive outpatient treatment at
23 Snoqualmie Tribe Health Services. His certificate of completion
24 is attached to this memorandum and incorporated by reference.
25 His counselor at Snoqualmie Tribe Health Services, Perez Seda,
26 SENTENCING MEMORANDUM OF DEFENDANT-4

1 offered a testament to the changes she observed and the outlook
2 she foresees for Mr. Holmquist. Her progress report dated April
3 15, 2024 is attached to this memorandum and incorporated by
4 reference.

5 V. CONCLUSION

6 Attached to this memorandum, and incorporated by reference,
7 are letters from family members of Mr. Holmquist. The letter
8 writers include his wife, his stepsons, his mother, his
9 stepfather, his father, his sisters, his maternal grandparents,
10 and a coworker. All form the parameters of a strong support
11 system which will help to ensure success going forward.

12 Dated this 18th day of September, 2024

13 s/Ralph Hurvitz
14 RALPH HURVITZ
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26 SENTENCING MEMORANDUM OF DEFENDANT-5
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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of September, 2024, I electronically filed with the clerk of the court, using the CM/ECF system, the sentencing memorandum of defendant, which will send notification of such filing to counsel.

s/Ralph Hurvitz
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